

## REMARKS

### Summary of Claim Status

Claims 26, 27, 30, 32, and 38-40 are pending in the present application after entry of the present amendment. Claims 28, 29, and 31 have been canceled, thereby rendering rejection of those claims moot. Claims 26, 27, 30, and 32 are rejected for the reasons discussed below. Claims 38-40 are added.

Applicants respectfully request favorable reconsideration of the claims and withdrawal of the pending rejections and objections in view of the present amendment and in light of the following discussion.

### Restriction Requirement

In the Office Action, the Examiner stated that Applicants' election of Species I, corresponding to Claims 26-32, with traverse is acknowledged. However, the Examiner failed to make the requirement final, and further failed to reply to the arguments presented by Applicants. MPEP § 821.01 provides:

Where the initial requirement is traversed, it should be reconsidered. If, upon reconsideration, the examiner is still of the opinion that restriction is proper, it should be repeated and made final in the next Office action. (See MPEP § 803.01.) In doing so, the examiner should reply to the reasons or arguments advanced by applicant in the traverse.

Applicants maintain traversal of the restriction requirement on the grounds set forth in the previously-filed response. In summary, Applicants submit that a showing of a "serious burden" on the Office has not been made, since an office action on the merits on all of Claims 26-37 has already been received.

Therefore, Applicants respectfully renew their request that the requirement be withdrawn and Claims 26-37 examined. In the alternative, Applicants respectfully request that the Examiner make the requirement final, so that Applicants can properly submit their petition to the Director to review the restriction requirement.

Rejections Under 35 U.S.C. § 103

Claims 26 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tavana et al., U.S. Patent No. 5,682,107 ("Tavana"), in view of Houston, U.S. Patent No. 5,615,162 ("Houston"). Applicants respectfully disagree and traverse the rejection. In particular, Applicants submit that Tavana and Houston, alone or in any combination, do not teach or even suggest the claimed inventions. However, Applicants believe the rejection is moot in light of the present amendments, which are believed to place the application in condition for allowance.

Applicants have amended Claim 26 to recite a programmable logic device that includes a control circuit coupled to the plurality of first switch elements, wherein the control circuit is configured to provide a plurality of control signals for controlling the plurality of first switch elements; wherein the control circuit comprises a plurality of configuration memory cells configured to store a corresponding plurality of configuration data values, the control circuit providing the plurality of control signals in response to the plurality of configuration data values; and wherein the plurality of configuration data values identify unused programmable logic blocks determined at design time. Applicants submit that Tavana and Houston, alone or in any combination, do not teach at least these features.

The Office Action alleges that Houston teaches a first plurality of switch elements 40, 42, 44, where each switch element is coupled between one of the memory blocks 32, 34, 36, and the first voltage supply terminal. Houston, however, does not teach a control circuit including configuration memory cells. Houston merely describes a simple memory cell array, and does not teach or even suggest a programmable logic device having programmable resources. Furthermore, configuration memory cells, or any equivalent structures, are never even mentioned in Houston, much less taught or suggested. In fact, the switches in Houston are controlled by two control signals (STANDBY and RETAIN), and not by any memory cells, much less configuration memory cells. See, e.g., Houston at col. 3, lines 3-34. Thus, Houston does not teach the use of configuration memory cells that store configuration data values, and a control circuit that provides control signals in

response to the configuration data values, as recited in Claim 26. Houston merely describes a memory array that uses a STANDBY and a RETAIN control signal to indicate whether the memory array can be placed in a standby mode, and whether the data in the memory array needs to be retained.

Moreover, the control signals in Houston (i.e., STANDBY and RETAIN) do not identify unused programmable logic blocks determined at design time. Houston indicates that these enable signals for controlling the switches may be generated from dynamic control or status signals. See Houston at col. 3, lines 40-42. In an alternative embodiment, Houston states that the enable signals may be set statically by the user or application program. However, Houston does not teach or even suggest that any unused programmable logic blocks are determined at design time. In fact, Houston seems to focus on dynamically enabling memory cells based on the application program that is currently running on a computer. See, e.g., Houston at col. 5 line 65 – col. 6, line 29. In contrast, Claim 26, as amended, recites configuration data values that identify unused programmable logic blocks at design time.

Finally, Tavana does not cure the failings of Houston. Therefore, Applicants believe Claim 26, as amended, is allowable, and entry of the amendment and allowance of Claim 26 is respectfully requested.

Claim 32 depends from Claim 26, and thus is believed allowable for at least the same reasons Claim 26 is believed allowable. Applicants therefore respectfully request allowance of Claim 32.

Claims 27 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over modified Tavana in view of Keeth, U.S. Patent No. 5,946,257 ("Keeth"). Applicants respectfully disagree and traverse the rejection. In particular, Applicants submit that Tavana and Keeth, alone or in any combination, do not teach or even suggest the claimed inventions. However, Applicants believe the rejection is moot in light of the present amendments, which are believed to place the application in condition for allowance.

In particular, Claims 27 and 30 depend from Claim 26, and thus are believed allowable for at least the same reasons Claim 26 is believed allowable. As noted above, Tavana and Houston fail to disclose or even suggest the inventions claimed, and Keeth does not cure the failings in the alleged Tavana-Houston combination. Keeth does not teach or even mention configuration memory cells, much less configuration memory cells configured to store a corresponding plurality of configuration data values that identify unused programmable logic blocks determined at design time. Keeth, in fact, describes a memory circuit that has memory arrays that can be disabled in the event the memory circuit is defective, and appears to be non-analogous art. Applicants therefore respectfully request allowance of Claims 27 and 30.

New Claims 38-40 also depend from Claim 26 and are likewise thought to be allowable.

#### Conclusion

No new matter has been introduced by any of the above amendments. Applicants request that the Examiner reconsider the final rejection and consider the above arguments. These arguments are believed to clearly indicate that the application including Claims 26, 27, 30, 32, and 38-40 should be allowed. Therefore, Applicants request allowance of the application. If any action other than allowance is contemplated by the Examiner, the Examiner is invited to telephone Applicants' attorney at 408-879-4641.

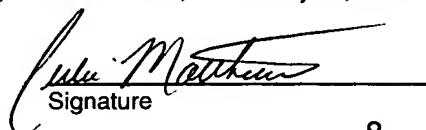
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on January 27, 2006.

Julie Matthews  
Name

  
Signature